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10/720,661	11/24/2003	Craig L. Reding	03-1012	6212
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VERIZON			NGUYEN, QUYNH H	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/720,661	REDING ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Quynh H. Nguyen	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 24 November 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-90 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-90 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 24 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statements (IDS) submitted received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 82-85 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claims 82-85, claim the non-statutory subject matter of a computer-readable medium. In Applicant's specification paragraph [128] discloses computer-readable media such as a carrier wave received from a network such as the Internet. Therefore, since the claimed programs are not tangibly embodied in a physical medium and encoded on a computer-readable media then the Applicants has not complied with 35 U.S.C 101.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-9, 12-13, 16, 22, 26-27, 33-37, 41-49, 52-53, 56, 62, 66-67, 73-77, 82-83, 86-87, and 90 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu (U.S. Patent 6,275,575).

As to claims 1, 41, 86, and 90, Wu teaches a method for providing a conference call comprising:

detecting a conference call event that was previously configured by a subscriber user (Fig. 6; col. 8, lines 38-41; col. 9, lines 60-61);  
style="padding-left: 40px;">identifying participant users associated with the conference call event (col. 5, lines 53-57 - *selected participants*);  
style="padding-left: 40px;">contacting the participant users (col. 3, lines 3-10);  
style="padding-left: 40px;">receiving a response from the participant users (col. 3, lines 10-12); and  
style="padding-left: 40px;">establishing a conference call between the participant users and the subscriber user based on the received responses (col. 5, line 66 through col. 6, line 4),

wherein at least one of the detecting and identifying steps is performed without user intervention (col. 3, lines 22-26).

As to claims 2-3, 34, 42-43 and 74, Wu teaches scanning a data structure which is a calendar application associated with the subscriber user for the conference call event (col. 1, lines 11-17 - *downloading calendars from network-base software applications*; col. 2, lines 47-52).

As to claims 4, 44, Wu teaches the conference call event is a trigger indicating a proposed conference call (col. 2, lines 53-61; col. 3, lines 22-26).

As to claims 5-6 and 45-46, Wu teaches collecting an identifier for the participant users from a first data structure (*calendar application 312*) corresponding to the conference call event and collecting contact information for the participants users from a second data structure (*address/phone book application 316*) based on the participant user identifiers (col. 7, lines 48-59).

As to claims 7, 47, Wu teaches collecting contact information associated with the participant users (col. 6, lines 28-30); and establishing a communication connection with the participant users using the contact information (col. 6, lines 31-35; col. 7, lines 38-43).

As to claims 8, 48, Wu teaches dialing out to participant users using a respective telephone number (col. 3, lines 22-26; col. 6, lines 28-35).

As to claims 9 and 49, Wu teaches contacting the participant users includes calling the participant users using a telephone number and receiving a response from the participant users includes: for a participant user providing an

indication to the subscriber reflecting whether the participant answers the call (col. 3, lines 10-12; col. 10, lines 2-5).

As to claims 12 and 52, Wu teaches providing an acceptance message to the subscriber when the participant answers the call (col. 3, lines 10-12; col. 10, lines 2-5).

As to claims 13 and 53, Wu teaches determining whether the participant accepts the call (col. 3, lines 10-12).

As to claims 16 and 56, Wu teaches establishing a communication connection between participant and the subscriber such that the subscriber and the participant may conduct a conference call (col. 3, lines 22-26).

As to claims 22 and 62, Wu teaches determining whether a participant user has a preferred device and contacting a participant user through the preferred device when the participant user has a preferred device (col. 6, lines 28-30; col. 9, lines 35-39).

As to claims 26 and 66, Wu teaches the subscriber configures the conference call by scheduling the conference call in a calendar application for a predetermined date and time (col. 2, line 47 through col. 3, line 26) and adding the names of participants that the subscriber intends to participate in the conference call (col. 6, lines 7-9).

As to claims 27 and 67, Wu teaches receiving input from subscriber to add participants to calendar application (col. 6, lines 7-9).

As to claims 33, 73, and 87 Wu teaches:

detecting a conference call event previously configured by a subscriber that indicates when a conference call should be established between the subscriber and participants (col. 2, lines 43-61);

collecting contact information for the participants (col. 2, line 62 through col. 3, line 3);

providing a message including the contact information to a conference server that is configured to instruct a bridge to establish the conference call between the users by calling the participants using the contact information included in the message (col. 3, lines 3-10; col. 5, lines 45-57); and

receiving a response message from the conference server including information associated with the conference call and at least one participant (col. 3, lines 10-12; col. 5, lines 57-63).

Claims 35 and 75 are rejected for the same reasons as discussed above with respect to claims 6-7.

As to claims 36 and 76, Wu teaches generating the message using the collected contact information and instruction associated with a date for commencing the conference call; and using the message to generate a second message for instructing the bridge to establish the conference call (col. 5, line 64 through col. 6, line 4).

As to claims 37 and 77, Wu teaches providing the response message by the bridge when attempting to establish communications with the participant over a voice network (col. 6, lines 6-14).

Claims 82-83 are rejected for the same reasons as discussed above with respect to claims 1 and 33, respectively. Furthermore, Wu teaches a computer readable medium including instructions for performing when executed by a processor (col. 2, lines 47-61).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10-11, 14-15, 23-25, 50-51, 54-55, and 63-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575).

As to claims 10-11, 14-15, and 50-51, Wu teaches providing the coordinator only content information related to response received from participants (col. 3, lines 10-12; col. 10, lines 2-5). Hence, it would have been obvious that if participant / none of participants response, then there is no information to provide to the coordinator, and if there is no participants replied to invitations then there is not conference at all.

As to claims 14-15 and 54-55, Wu does not explicitly teach performing a feedback process when the participant declines the call. However the option of declining the call without any further processing by the participant is the prefer case in Wu's system because only subscribers' responses are forwarded to the

coordinating server device and coordinator for later being contacted at a pre-determined conference time (col. 3, lines 3-26), and there is no mention about further processing on declined participants.

As to claims 23-24 and 63-64, Wu teaches generating a control script telephone conference information (col. 3, lines 13-18); and how to configure the conference call (col. 3, lines 18-22); generating instructions for setting up the conference call and the telephone numbers (col. 3, lines 22-26). Wu does not explicitly teach generating a first message and a second message based on the first message. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wu's conference system to have additional steps of generating messages for the same purpose of scheduling, configuring, and setting up conferences.

As to claims 25 and 65, Wu teaches calling the participants using the telephone number included in the message (col. 3, lines 22-26).

8. Claims 17 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Herr et al. (US Patent 4,540,850).

As to claims 17 and 57, Wu does not teach detecting when one of the participants terminates its contact during the conference call; providing a termination message to the subscriber indicating that the participant has ended participation in the conference call.

Herr et al. teaches detecting when one of the participants terminates its contact during the conference call; providing a termination message to the subscriber indicating that the participant has ended participation in the conference call (col. 1, lines 52-54; col. 19, lines 21-24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Herr into the teachings of Wu for the purpose of having a more efficient system by informing the conference originator or subscriber about the termination participant in order to give the subscriber opportunity to reestablish a connection to the participant if it was an inadvertently terminated.

9. Claims 18-21 and 58-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Kermani (US Patent 6,697,796).

As to claims 18 and 58, Wu does not teach the conference call between subscriber and participants. However, Wu does not teach recording audio information, converting at least some of the audio information to text information, and recording the text information in a transcript reflecting a textual temporal based representation of communications that have taken place between users.

Kermani teaches recording audio information between users (col. 2, lines 9-12), converting at least some of the audio information to text information (Fig. 3, 102), and recording the text information in a transcript reflecting a textual

temporal based representation of communications that have taken place between users (col. 3, lines 30-33; col. 4, lines 25-30; col. 5, lines 44-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kermani into the teachings of Wu for the purpose of later playing back to users when certain important information need to be reviewed.

As to claims 19 and 59, Kermani teaches particular textual string are located, the particular audio segments recorded may be played or accessed in whole or in relevant part (col. 4, lines 34-37). Hence, It would have been obvious to one of ordinary skill in the art at the time the invention was made that if portion of relevant part recorded and played and there are still other portions of audio segments stored in database or transcript (col. 4, lines 40-43).

As to claims 20-21 and 60-61, Wu and Kermani do not teach providing the transcript to the subscriber including attaching the transcript to an e-mail addressed to the subscriber. Attaching a file and sending to users via e-mail is well known and the advantage of using it is also well known. For example, if receiver needs to edit the file for some minor changes. 7.

10. Claims 28-32 and 68-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Chakrabarti et al. (US Patent 6,163,692).

As to claims 28-29 and 68-69, Wu does not teach detecting when a participant was dropped from the conference and determining whether the

participant has a preferred device registered, attempting to contact the participant through the preferred device.

Chakrabarti et al. teaches detecting when a participant was dropped from the conference and attempting to contact the participant through a device (col. 3, lines 4-16). Chakrabarti further teaches users device's is mobile devices, and the participant has a registered preferred device (col. 13, line 67 through col. 14, line 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Chakrabarti into the teachings of Wu for the purpose of have a more efficient system and allowing participants to rejoin the conference after a lost connection due to any reasons without having to redial the conference number again.

As to claims 30 and 70, Chakrabarti et al. teaches re-establishing the user with the conference call based on a determination that the user wished to continue participation in the conference call (col. 3, lines 16-24 - *where Chakarbarti discussed automatically re-establish connection in response to detection of an unintentional disconnection, therefore the user wished to continue participate in the conference since it was a unintentionally disconnection*).

As to claims 31 and 71, Chakrabarti et al. teaches determining contact information associated with a device used by the participant to participate in the conference call; and re-establishing the user with the conference call using the contact information (col. 3, line 10 through col. 4, line 4).

As to claims 32 and 72, Chakrabarti et al. teaches detecting when a participant has terminated participation in the conference call; and determining whether the participant voluntarily or involuntarily terminated participation in the conference call based on the type of device the participant was operating during participation in the conference call (col. 3, line 10 through col. 4, line 4).

11. Claims 38, 40, 78, 80-81, 85, and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Gottlieb et al. (US Patent 5,638,434).

As to claims 38 and 78, Wu does not teach the response comprises at least one of: information stating that at least one participant is declining the call; information stating that at least one participant is accepting the call.

Gottlieb et al. teaches the response comprises at least one of: information stating that at least one participant is not answering the call; information stating that at least one participant is accepting the call (col. 6, lines 32-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Gottlieb into the teachings of Wu for the purpose of allowing the conference operator to proceed dialing the next participant if the dialed participant does not answer the call or marking the conference port as occupied if the participant accept the call.

Claims 40, 80, 85, and 89 are rejected for the same reasons as discussed above with respect to claims 1 and 38. Furthermore, Wu teaches receiving a message from a first server including instructions for establishing a conference

call between participants and a subscriber that previously scheduled the conference call with a second server (col. 2, line 43 through col. 3, line 12; col. 5, lines 45-63), wherein the second server automatically initiates configuration of the conference call based on the subscriber's schedule by providing to the first server contact information for participants (col. 3, lines 13-26; col. 5, line 64 through col. 6, line 6).

Claim 81 is rejected for the same reasons as discussed above with respect to claim 80. Furthermore, Wu teaches a conference bridge for receiving messages, extracting the phone numbers from the message and calling the participants using the phone numbers, and establishing a conference call between the participants and the subscriber (col. 8, lines 4-23), wherein the users schedule conference calls for future dates and automatically attempt to establish the conference calls when the future dates arrive (col. 3, lines 13-26).

12. Claims 39, 79, 84, and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (U.S. Patent 6,275,575) in view of Gottlieb et al. (US Patent 5,638,434) and further in view of Chakrabarti et al. (US Patent 6,163,692).

Claims 39, 79, and 88 are rejected for the same reasons as discussed above with respect to claims 28, 30, 33, and 38.

Claim 84 is rejected for the same reasons as discussed above with respect to claim 39. Furthermore, Wu teaches a computer readable medium including instructions for performing when executed by a processor (col. 2, lines 47-61).

***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chen et al. (2003/0035381) teaches network-based teleconferencing capabilities utilizing data network call set-up requests.
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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